

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL NO. 3:98CV394

CALVIN R. LUCKEY, and wife PEGGY G.)
LUCKEY, *et al.*,)

This document pertains to:)

THEODORE BALLARD, JR.; WILLIE J. BURT, JR.;)
RONNER BYERS and wife, FRANCES W. BYERS;)
RICHARD ALLEN JONES and wife)
JUDY FINK JONES; CLEMENT R. KEENE and)
wife BARBARA JO DEATHERAGE KEENE;)
JIMMY W. NEAL, SR., and wife)
DOREEN K. NEAL; JOHN A. NOBLE III and wife)
WENDY ROBIN HASTINGS NOBLE;)
TONY E. ROGERS and wife,)
PATRICIA LADONNE C. ROGERS;)
WALTER D. THOMPSON; DAVID R. TURNER;)
DAVID R. WHITSIDE, SR., and wife,)
LINDA L. WHITESIDE;)
JUDY HORNE MARTIN, Individually and as Executrix)
of the Estate of Ray Martin;)
JOHN WESLEY SMITH and wife BETTY M. SMITH;)
VICTOR E. YOUNT; SYLVA L. JOHNSON,)
Executrix of the Estate of Clarence Luckey, Sr., Deceased,)

Plaintiffs,)

Vs.)

A. W. CHESTERTON, INC., *et al.*,)

Defendants.)

ORDER OF DISMISSAL

THIS MATTER is before the Court upon the joint motion of the captioned Plaintiffs, by and through counsel, and Defendant A.W. Chesterton, Inc., to dismiss without prejudice, all claims against said Defendant in this matter.

It appearing that grounds exist to permit Plaintiffs to do so, and that the motion should be granted for good cause shown,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the joint motion to dismiss is **ALLOWED**, and all claims of the captioned Plaintiffs against Defendant A.W. Chesterton, Inc., are hereby dismissed without prejudice.

Signed: July 9, 2007



Lacy H. Thornburg
United States District Judge

